



**CITY OF NEW ORLEANS
BOARD OF ZONING ADJUSTMENTS**

Regular Meeting Agenda

Monday, February 18, 2013

**10:00 a.m. City Planning Conference Room, Room 7W03
1300 Perdido Street, New Orleans, Louisiana**

This is a draft agenda.

The requested waivers are subject to change prior to the hearing.

**The deadline for submitting letters of support or objection is the
Wednesday prior to the meeting, February 13th at 5:00 p.m.**

A. Call to Order and Roll Call, Adoption of Minutes, Communications, and Reading of Hearing Rules

B. BZA Dockets – Old Business

ITEM 1 – Docket Number: 227-12 **MDO**
Applicant or Agent: Karlette Billy
Property Location: 3517 Bacchus Drive **Zip:** 70131
Bounding Streets: Tullis, Bacchus and Berkley Drives, & Lancaster Street
Square Number: 2 **Lot:** 3
Zoning District: RS-2 Single-Family Residential **ZBM:** F-17
Historic District: N/A **Planning District:** 12
Existing Use: Single-Family Residence
Proposed Use: Single-Family Residence

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit parking in the required front yard area. **(AFTER THE FACT)**

Requested Waiver:

Section 15.2.3 – Parking in Front Yards

Permitted: 0 Spaces Proposed: 1 Space Waiver: 1 Space

ITEM 2 – Docket Number: 235-12 **MDO**
Applicant or Agent: 8518 Oak St., LLC
Property Location: 2100 Oretha Castle Haley Boulevard **Zip:** 70113
Bounding Streets: O. C. Haley Blvd., Josephine St., Baronne St., & Jackson Ave.
Square Number: 269 **Lot:** 12-A
Zoning District: C-1 General Commercial **ZBM:** C-15
Historic District: HDLC Nominated Building **Planning District:** 2
Existing Use: Mixed-Use and Two (2) Single-Family Residences
Proposed Use: Mixed-Use and Two (2) Single-Family Residences

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.5.16 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the paving surfaces for off-street parking and drives to be crushed limestone for a mixed-use development **(AFTER THE FACT)**.

Requested Waiver:

Section 15.2.5.16 – Paving Surfaces

Required: Concrete or similar paving material
Proposed: Crushed Limestone
Waiver: Crushed Limestone

ITEM 3 – Docket Number:	242-12	MDO
Applicant or Agent:	Robert O’Brien	
Property Location:	1323-25 St. Philip Street	Zip: 70116
Bounding Streets:	St. Philip, Tremé, Marais Sts., & Ursulines Ave.	
Square Number:	146	Lot: 6
Zoning District:	HMR-1 Historic Marigny/ Tremé Residential RDO Residential Diversity Overlay	
Historic District:	Marigny/ Tremé Local Historic	ZBM: D-13
Existing Use:	Vacant Lot	Planning District: 4
Proposed Use:	Two (2) Four-Family Residences	

Request Citation: This request is for variances from the provisions of Article 9, Section 9.1.6 (Table 9.A) and Article 15, Section 15.5.7(3) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a four-family residence with insufficient minimum lot area per dwelling unit and excessive floor area ratio.

Requested Waivers:

Section 9.1.6 (Table 9.A) – Minimum Lot Area (Eight Dwelling Units)

Required: 7,200 sq. ft. Provided: 4,096 sq. ft. Waiver: 3,104 sq. ft.

Section 9.1.6 (Table 9.A) – Maximum Floor Area Ratio

Permitted: 1.3 Provided: 1.87 Waiver: .57

Article 15, Section 15.5.7(4) – Yards and Open Space Generally (Orientation)

Required: Orientation toward a public street

Provided: Behind a proposed multi-family residential structure

Waiver: Orientation toward a public street

ITEM 4 – Docket Number: 248-12 **MDO**
Applicant or Agent: Matthew Morgan Wisdom and Ginny Emory
Property Location: 2507 Prytania Street **Zip:** 70130
Bounding Streets: Saint Charles Avenue, 2nd, 3rd & Prytania St.
Square Number: 214 **Lot:** A-1
Zoning District: RD-2 Two-Family Residential **ZBM:** C-15
Historic District: N/A **Planning District:** 2
Existing Use: Single-Family Residence
Proposed Use: Single-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.5.7 (Table 4.E), Article 15, Section 15.2.3 and Article 15, Section 15.5.12 (7) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit construction of a carport in the required front and side yard setback, and construction of a pool in the required side yard area with insufficient distance from the side property line.

Requested Waivers:

Section 4.5.7 (Table 4.E) – Minimum Width of Side Yard (Saint Charles Avenue Side)

Required: 3’ Provided: 1’ Waiver: 2’

Section 4.5.7 (Table 4.E) – Minimum Depth of Front Yard (Second Street Side)

Required: 20’ Provided: 0’ Waiver: 20’

Section 15.2.3 – Parking in Front Yards

Required: Not Permitted Provided: 2 Spaces Waiver: 2 Spaces

Section 15.5.12 (7) – Accessory Buildings and Structures (Accessory Swimming Pools – Distance from Side Property Line)

Required: 4’ Provided: 3’ Waiver: 1’

C. Director of Safety and Permits Decision Appeals – Old Business

No Items.

D. BZA Dockets – New Business

ITEM 5 – Docket Number: 014-13
Applicant or Agent: Uptown Acquisitions, LLC
Property Location: 4800 Magazine Street **Zip:** 70115
Bounding Streets: Magazine St., Bordeaux St., Constance St., & Lyons St.
Square Number: 198 **Lot:** A
Zoning District: B-2 Neighborhood Business **ZBM:** B-15
Historic District: N/A **Planning District:** 6
Existing Use: Veterinary Office
Proposed Use: Restaurant

Request Citation: This request is for variances from the provisions of Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit conversion of a veterinary office into a restaurant with insufficient off-street parking.

Requested Waiver:

Section 15.2.1 (Table 15.A) – Off-Street Parking

Required: 4 Spaces Provided: 0 Spaces Waiver: 4 Spaces

ITEM 6 – Docket Number: 015-13
Applicant or Agent: Angeline Larrieu
Property Location: 4117 Orleans Avenue **Zip:** 70119
Bounding Streets: Carrollton Ave., Dumaine St., Orleans Ave., & Bungalow Ct.
Square Number: 468 **Lot:** P
Zoning District: LRD-2 Lakewood/Parkview Two-Family Residential
Historic District: N/A **ZBM:** C-12
Existing Use: Two-Family Residence **Planning District:** 5
Proposed Use: Two-Family Residence w/ excessive paving

Request Citation: This request is for variances from the provisions of Article 15, Section 15.6.6 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit excessive paving of the required front and corner lot side yard areas. (**AFTER THE FACT**)

Requested Waivers:

Section 15.6.6 – Limitation on Pavement of Required Yard Areas (Front Yard)

Permitted: ≤ 40% Proposed: 100% Waiver: 60%

Section 15.6.6 – Limitation on Pavement of Required Yard Areas (Front Yard on Side Street)

Permitted: ≤ 40% Proposed: 100% Waiver: 60%

ITEM 7 – Docket Number: 016-13
Applicant or Agent: Vincent Marcello, Jr.
Property Location: 532 South Hennessey Street **Zip:** 70119
Bounding Streets: D’Hemecourt St., Baudin St., S. Hennessey St., & S. Solomon St.
Square Number: 788 **Lot:** 4
Zoning District: RD-3 Two-Family Residential **ZBM:** B-12
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot
Proposed Use: Two-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F), and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a two-family residence with insufficient minimum lot area per dwelling unit, insufficient minimum depth of rear yard, and insufficient off-street parking.

Requested Waivers:

Section 4.6.7 (Table 4.F) – Minimum Lot Area (Two-Family)

Required: 3,600 sq. ft. Proposed: 3,445 sq. ft. Waiver: 155 sq. ft.

Section 4.6.7 (Table 4.F) – Minimum Depth of Rear Yard

Required: 20’ Proposed: 15’ Waiver: 5’

Section 15.2.1 Table 15.A) – Off-Street Parking

Required: 2 Spaces Proposed: 0 Spaces Waiver: 2 Spaces

ITEM 8 – Docket Number: 017-13
Applicant or Agent: Marie Haymon
Property Location: 2011 Calhoun Street **Zip:** 70118
Bounding Streets: Freret St., LaSalle Pl., Palmer Ave., & Calhoun St.
Square Number: 102 **Lots:** 17, 18
Zoning District: RS-2 Single-Family Residential
Historic District: N/A **ZBM:** B-14
Existing Use: Single-Family Residence **Planning District:** 3
Proposed Use: Single-Family Residence w/ circular drive

Request Citation: This request is for variances from the provisions of Article 15, Section 15.2.3.6 (a), Section 15.2.3.6 (b), and Article 15, Section 15.6.6 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a circular driveway with off-street parking within the required front yard setback, insufficient minimum distance from a side property line, and excessive paving of the required front yard area.

Requested Waivers:

Section 15.2.3.6 (a) – Parking in Front Yards (Front Yard Parking)

Permitted: Not Permitted Proposed: 2 Spaces Waiver: 2 Spaces

Section 15.2.3.6 (b) – Parking in Front Yards (Driveway Distance from Side Property Line)

Required: 24 Spaces Proposed: 0 Spaces (4 Grandfathered) Waiver: 20 Spaces

Section 15.6.6 – Limitation on Pavement of Required Yard Areas (Front Yard)

Permitted: ≤ 40% (480 sq. ft.) Proposed: 63.5% (762 sq. ft.) Waiver: 23.5% (282 sq. ft.)

ITEM 9 – Docket Number: 018-13
Applicant or Agent: Landcraft, LLC
Property Location: 329 N. Diamond and 320 St. Joseph Streets **Zip:** 70115
Bounding Streets: N. Diamond St., Tchoupitoulas St., St. Joseph St., & S. Peters St.
Square Number: 53 **Lots:** 38, 39, 9, 10, 11
Zoning District: CDB-8 Central Business District **ZBM:** C-15
Historic District: N/A **Planning District:** 1a
Existing Use: Warehouse
Proposed Use: Multi-Family Residence

Request Citation: This request is for variances from the provisions of Article 6, Section 6.9.7 (Table 6.I) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the conversion of a warehouse to a multi-family residence with insufficient minimum interior lot building setback from lowest residential level with windows, and insufficient minimum open space.

Requested Waivers:

Section 6.9.7 (Table 6.I) – Interior Building Setback (Lowest Residential Level)

Required: 20' Proposed: 0' Waiver: 20'

Section 6.9.7 (Table 6.I) – Opens Space Ratio

Required: 10% Proposed: 0% Waiver: 10%

ITEM 10 – Docket Number: 019-13
Applicant or Agent: Charles D. Devrouax
Property Location: 3608-10 First Street **Zip:** 70125
Bounding Streets: First St., S. Miro St., Second St., & Fourth St.
Square Number: 460 **Lot:** C
Zoning District: RM-4 Multi-Family Residential/ Hoffman Triangle Low Density IZD
Historic District: N/A **ZBM:** B-14
Existing Use: Two-Family Residence **Planning District:** 2
Proposed Use: Two-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.12.7 (Table 4.L), and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a two-family residence with insufficient minimum lot area per dwelling unit, insufficient minimum depth of front yard, insufficient minimum depth of rear yard, excessive lot coverage, and insufficient off-street parking.

Requested Waivers:

Section 4.12.7 (Table 4.L) – Lot Area (Two-Family)		
Required: 3,500 sq. ft.	Provided: 3,300 sq. ft.	Waiver: 200 sq. ft.
Section 4.12.7 (Table 4.L) – Depth of Front Yard		
Required: 20’	Proposed: 6’ 5”	Waiver: 13’ 7”
Section 4.12.7 (Table 4.L) – Depth of Rear Yard		
Required: 15’	Proposed: 6’ 1½”	Waiver: 8’ 10½”
Section 4.12.7 (Table 4.L) – Maximum Lot Coverage		
Permitted: ≤ 60% (1,980 sq. ft.)	Proposed: 88% (2,904 sq. ft.)	Waiver: 28% (924 sq. ft.)

ITEM 11 – Docket Number: 020-13
Applicant or Agent: John P. Sapir
Property Location: 6301 Laurel Street **Zip:** 70118
Bounding Streets: Exposition Blvd., Patton St., Calhoun St., & Laurel St.
Square Number: 20 **Lot:** 12
Zoning District: RD-4 Two-Family Residential **ZBM:** A-15
Historic District: N/A **Planning District:** 3
Existing Use: Single-Family Residence
Proposed Use: Single-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.7.7 (Table 4.G) of the Comprehensive Zoning Ordinance.

Request:
This request is to permit the construction of an addition to an existing residence with insufficient side yard setback.

Requested Waiver:
Section 4.7.7 (Table 4.G) – Minimum Side Yard Setback
Required: 3’ Proposed: 1’ 8” Waiver: 1’ 2”

ITEM 12 – Docket Number: 021-13
Applicant or Agent: Cheryl Ellsworth
Property Location: 1311-13 Vignaud Street **Zip:** 70119
Bounding Streets: Vignaud St., Grand Route St. John St., Ponce Deleon St., & Moss St.
Square Number: 438 **Lot:** F
Zoning District: RD-2 Two-Family Residential **ZBM:** C-12
Historic District: N/A **Planning District:** 4
Existing Use: Single-Family Family Residence
Proposed Use: Two-Family Residence

Request Citation: This request is for a special exception to the provisions of Article 4, Section 4.5.7 (Table 4.E) as per Article 14, Section 14.7.4 of the Comprehensive Zoning Ordinance.

Request:
This request is to permit an exception to the provisions of Article 4, Section 4.5.7 (Table 4.E) – Depth of Rear Yard, for the construction of an addition to an existing residence with insufficient minimum rear yard setback.

Requested Exception:
Section 14.7.4 (1) – Special Yard Exceptions (Rear Yard)
Required: 20’ Proposed: 10’ (15’ existing) Exception: 5’

ITEM 13 – Docket Number: 022-13
Applicant or Agent: Christopher and Bonnie Klein
Property Location: 1442 North Roman Street **Zip:** 70116
Bounding Streets: N. Roman St., Columbus St., N. Derbigny St., & Kerlerec St.
Square Number: 762 **Lot:** 15-A
Zoning District: RD-3 Two-Family Residential **ZBM:** D-13
Historic District: Esplanade Ridge Local Historic **Planning District:** 4
Existing Use: Single-Family Residence
Proposed Use: Single-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a single-family residence with insufficient minimum depth of front yard, insufficient depth of corner lot side yard, insufficient aggregate width of side yards, and insufficient minimum depth of rear yard.

Requested Waivers:

Section 4.6.7 (Table 4.F) – Depth of Front Yard

Required: 20' Proposed: 0' Waiver: 20'

Section 4.6.7 (Table 4.F) – Corner Lot Side Yard

Required: 4' Proposed: 3' Waiver: 1'

Section 4.6.7 (Table 4.F) – Aggregate Width of Side Yards

Required: 6.1' Proposed: 6' Waiver: 0.1'

Section 4.6.7 (Table 4.F) – Depth of Rear Yard

Required: 20' Proposed: 10' Waiver: 10'

ITEM 14 – Docket Number: 023-13
Applicant or Agent: Louise Lee
Property Location: 939 Louisa Street **Zip:** 70117
Bounding Streets: Louisa St., N. Rampart St., Piety St., & Burgundy St.
Square Number: 284 **Lot:** 10-A
Zoning District: RD-3 Two-Family Residential **ZBM:** C-15
Historic District: Bywater Local Historic **Planning District:** 1a
Existing Use: Warehouse
Proposed Use: Multi-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F), and Article 15, Section 15.2.1 (Table 15.A) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the conversion of a single-family residence into a two-family residence with insufficient minimum lot area per dwelling unit, and insufficient off-street parking.

Requested Waivers:

Section 4.6.7 (Table 4.F) – Lot Area (Two-Family)
 Required: 3,600 sq. ft. Provided: 2,180 sq. ft. Waiver: 1,420 sq. ft.
Section 15.2.1 (Table 15.A) – Off-Street Parking
 Required: 2 Spaces Proposed: 1 Space Waiver: 1 Space

ITEM 15 – Docket Number: 024-13
Applicant or Agent: Dennis and Helen Rubion
Property Location: 353 Walnut Street **Zip:** 70118
Bounding Streets: Walnut St., Perrier St., & Prytania St.
Square Number: 39 **Lots:** 3, 4, 5
Zoning District: RS-2 Single-Family Residential **ZBM:** A-14
Historic District: N/A **Planning District:** 3
Existing Use: Single Family Residence
Proposed Use: Single-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.3.7 (Table 4.C) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of an addition to a single-family residence with insufficient minimum depth of rear yard.

Requested Waiver:

Section 4.2.7 (Table 4.C) – Depth of Rear Yard
 Required: 20' Proposed: 8' Waiver: 12'

ITEM 16 – Docket Number: 025-13
Applicant or Agent: 727 Nashville, LLC
Property Location: 727 Nashville Avenue **Zip:** 70115
Bounding Streets: Nashville Ave., Magazine St., Arabella St., & Constance St.
Square Number: 25 **Lot:** 7
Zoning District: B-2 Neighborhood Business **ZBM:** A-15
Historic District: N/A **Planning District:** 3
Existing Use: Two-Family Residence
Proposed Use: Single-Family Residence

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit off-street parking located in the required front yard setback. **(AFTER THE FACT)**

Requested Waiver:

Section 15.2.3 – Parking in Front Yards

Permitted: Not Permitted Provided: 1 Space Waiver: 1 Space

ITEM 17 – Docket Number: 026-13
Applicant or Agent: DD Frenchmen, LLC
Property Location: 601 Frenchmen Street **Zip:** 70116
Bounding Streets: Frenchmen St., Chartres St., Royal St., & Elysian Fields Ave.
Square Number: 153 **Lot:** A
Zoning District: HMC-1 Historic Marigny/Tremé Commercial and Frenchmen Street Arts & Cultural Overlay **ZBM:** D-14
Historic District: Marigny Local Historic **Planning District:** 7
Existing Use: Warehouse
Proposed Use: Multi-Family Residence

Request Citation: This request is for variances from the provisions of Article 9, Section 9.4.6 (Table 9.D) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a restaurant with excessive floor area ratio (FAR) and insufficient open space.

Requested Waivers:

Section 9.4.6 (Table 9.D) – Floor Area Ratio

Required: ≤ 1.3 (2,212 sq. ft.) Proposed: 1.75 (2,984 sq. ft.) Waiver: 0.45 (772 sq. ft.)

Section 9.4.6 (Table 9.D) – Opens Space Ratio

Required: 20% (340 sq. ft.) Proposed: 0% (0 sq. ft.) Waiver: 20% (340 sq. ft.)

ITEM 18 – Docket Number: 027-13
Applicant or Agent: Neighborhood Homes, LLC
Property Location: 924 Upperline Street **Zip:** 70115
Bounding Streets: Upperline St., Camp St., Magazine St., & Robert St.
Square Number: 238 **Lot:** C
Zoning District: RD-3 Two-Family Residential **ZBM:** B-15
Historic District: N/A **Planning District:** 3
Existing Use: Vacant Lot
Proposed Use: Single-Family Residence

Request Citation: This request is for variances from the provisions of Article 4, Section 4.6.7 (Table 4.F), and Article 15, Section 15.2.3 of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a single-family residence with insufficient minimum depth of rear yard and off-street parking within the required front yard setback.

Requested Waivers:

Section 4.6.7 (Table 4.F) – Depth of Rear Yard

Required: 20’ Proposed: 12’ 4” Waiver: 7’ 8”

Section 15.2.3 – Parking in Front Yards

Permitted: Not Permitted Proposed: 1 Space Waiver: 1 Space

ITEM 19 – Docket Number: 028-13
Applicant or Agent: Danny and Cindy Steib
Property Location: 5600 Cantina Street **Zip:** 70124
Bounding Streets: Homedale Ave., Florida Blvd., West End Blvd., & Catina St.
Square Number: 53 **Lot:** A
Zoning District: LRS-1 Lakeview Single-Family Residential **ZBM:** B-11
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot
Proposed Use: Single-Family Residence

Request Citation: This request is for a variance from the provisions of Article 15, Section 15.5.8(3) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit the construction of a single-family residence with insufficient corner lot side yard setback.

Requested Waiver:

Section 15.5.8(3) – Corner Lot Side Yard Setback

Required: 10’ Proposed: 7’ 6” Waiver: 12’ 6”

ITEM 20 – Docket Number: 029-13
Applicant or Agent: 713, 715 & 717 STANN, LLC
Property Location: 713-15 St. Ann Street **Zip:** 70116
Bounding Streets: St. Ann St., Royal St., Dumaine St., & Bourbon St.
Square Number: 58 **Lot:** 26
Zoning District: VCC-1 Vieux Carré Commercial **ZBM:** D-14
Historic District: Vieux Carré Local Historic **Planning District:** 1b
Existing Use: Multi-Family Residence
Proposed Use: Multi-Family Residence

Request Citation: This request is for a variance from the provisions of Article 8, Section 8.4.7 (Table 8.C) of the Comprehensive Zoning Ordinance.

Request:

This request is to permit an increase in the number of residential units, four to six units, in a multi-family residence with insufficient minimum lot area per dwelling unit.

Requested Waiver:

Section 8.4.7 (Table 8.C) – Minimum Lot Area (Six-plex)

Required: 3,600 sq. ft. Proposed: 2,976 sq. ft. Waiver: 624 sq. ft.

E. Director of Safety and Permits Decision Appeals

ITEM 21 – Docket Number: 030-13
Applicant: 3600 Alvar, LLC
Property Owner: 3600 Alvar, LLC
Property Location: 3600 Alvar Street **Zip:** 70126
Bounding Streets: Alvar St., Higgins Blvd., Desire St., & Chickasaw St.
Square Number: 31 **Lot:** B-2-B-1
Zoning District: LI Light Industrial **ZBM:** E-12
Historic District: N/A **Planning District:** 7
Existing Use: Concrete Crushing Plant
Proposed Use: Concrete Crushing Plant

Request Citation: This is an appeal of a decision of the Director the Department of Safety and Permits as per Article 14, Section 14.5 of the Comprehensive Zoning Ordinance.

Request:

This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the loss of non-conforming status.